



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Charles Bernasconi and Shannon Wainright
Serial Number: 09/641,866
Filing Date: August 18, 2000
Examiner/Art Group Unit: C. Bleck/3626
Title: INTERNET-BASED DISPATCHING SYSTEM

DECLARATION OF JAY BOITANO

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RECEIVED
APR 21 2004
GROUP 3600

Sir:

I, Jay Boitano, declare as follows:

1. I am president of Boitano Homes, Inc.
2. I am familiar with the Internet-based dispatching system for the placement of substitute workers into open positions that is the subject of United States application Serial No. 09/641,866, filed on August 18, 2000, which claims priority to United States provisional application Serial No. 60/150,001, which was filed on August 20, 1999. Mr. Charles Bernasconi and Mr. Shannon Wainright are the named inventors.

3. Beginning in February 1999 through the spring of 1999, Mr. Bernasconi and Mr. Wainright tested various features of the dispatching system as Mr. Wainright programmed them. These tests occurred at my residence and in my presence using multiple phone lines. We worked at least Monday, Tuesday and Thursday evening each week. Specifically, the testing of various features of the dispatching system occurred on February 8, 9, 11, 15, 16, 18, 22, 23 and 25, 1999. The testing also occurred on March 1, 2, 4, 8, 9, 11, 15, 16 and 18, 1999. I personally tested various features of the dispatching system at several of those sessions. On at least one of these dates, I successfully reported absences, prepared lesson plans for a substitute and performed other tasks a teacher would use in the dispatching system. On at



-2-

S.N. 09/641,866

least one of these dates, I successfully reviewed a web page list of offered assignments based upon my entered qualifications, accepted assignments over the Internet, indicated preferences and dates when unavailable, and performed other tasks a substitute would use in the dispatching system using a pass code.

4. In the week prior to March 19, 1999, I witnessed the operation of the system using test data for schools, teachers and substitutes. The test data was stored in a database and had a variety of information including the location of schools, the availability and preferences of substitutes, contact information and subjects taught by the teachers. Upon entry of an absence, the system sorted substitutes that would meet the criteria from substitutes that would not, then notified each of the acceptable substitutes simultaneously through one or more web pages accessible with a pass code. Upon acceptance of a position by a substitute, the web pages were updated immediately.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or of any patent issuing thereon.

Dated: 4/13/04

Jay Boitano
Jay Boitano

RECEIVED
APR 21 2004
GROUP 3600